

positioning a leg of the machine on the ground, the leg having a hollow bushing for adjusting a level of the leg and a soleplate at a bottom of the bushing, the bushing bearing, without sliding, on the soleplate, the soleplate contacting the ground;

positioning a drilling tool to pass through the bushing, along a length of the bushing, and through an orifice through the soleplate;

drilling a hole in the ground in line with the orifice in the soleplate;

fitting the drilled hole with a positioning member to project from the drilled hole and co-operate with the orifice in order to index the leg on the ground; and

securing the positioning member to the leg by threading a nut onto a threaded free end of the positioning member, the nut bearing against an inside face of the soleplate located at a bottom of the bushing.

15. (withdrawn - new) The method according to claim 14, further comprising a step of fastening the positioning member into the hole in the ground.

16. (withdrawn - new) The method according to claim 15, wherein the fastening step consists in embedding the positioning member (107) in the ground.

REMARKS

The application has been amended and is believed to be in condition for examination on the merits.

This responds to the restriction requirement under 35 USC 121 and 372. The Examiner has identified 2 groups which the Examiner states are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Claims 7 and 10-12 have been amended to form in consideration of U.S. practice and preferences. Claims 7 and 10-12 have further been amended to sharpen the recitation of the inventive features of the invention. No new matter is introduced by way of these amendments.

New claims 13-18 further claim the invention; the new claims find support in the specification, figures, and claims as originally filed in the application and do not introduced new matter.

Provisional Election with Traverse

Responsive to the requirement for restriction, Applicants provisionally elect Group II, claims 10-12 drawn to a machine leg, with traverse. Claim 10 is amended into independent form.

New claims 13-18 are directed toward Group I.

The restriction is respectfully traversed at least for the following reasons.

The Official Action states that Group I and Group II do not related to a single general inventive concept under PCT Rule 13.1 because they lack the same or corresponding special technical features as described under PCT Rule 13.2.

A restriction is properly required under PCT 13.1 where an application contains inventions of groups of inventions which are not so linked as to form a single general inventive concept, such that they lack the same or corresponding special technical features, and wherein special technical features refers to those technical features that define a contribution which each of the claimed in inventions, considered as a whole, makes over the prior art.

Here, Group II (claims 10-12), as amended, recites a soleplate, forming a bottom of a bushing of a machine leg and having an orifice through the bottom opening out into the bushing, and a positioning member for projecting from a drilled hole in the ground, as required by claim 10. The positioning member is configured to pass through the bushing along a length of the bushing and through the orifice into the drilled hole in the ground, thereby positioning the machine on the ground for indexing, as recited by claim 10.

Group I (claims 7-9), as amended, includes method steps of drilling a hole in the ground, in line with an orifice in a soleplate of a leg of a machine using a drilling tool passing along a bushing of the leg and through the orifice in the

soleplate to the ground, and fitting in the drilled hole a positioning member that co-operates with the orifice in the soleplate in order to index a position of the machine on the ground.

Both Groups I and II recite at least two common special technical features: i) the hollow bushing having a soleplate, the soleplate having an orifice in line with a drilled hole in the ground, and ii) the positioning member fitted in the drilled hole and configured to pass through the bushing and the orifice into the drilled hole.

It is, therefore, respectfully submitted that Groups I and II share a technical relationship involving at least two of the same or corresponding special technical features. Accordingly, it is respectfully submitted that the restriction between Groups I and II is improper.

Withdrawal of the restriction requirement is therefore respectfully requested.

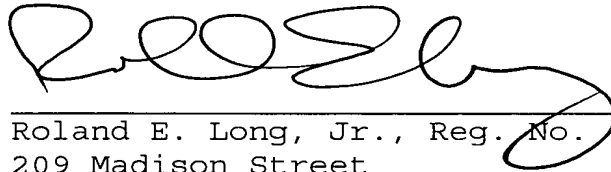
From the foregoing, it will be apparent that applicants have fully responded to the June 23, 2008, Official Action, and that the application is in condition for examination on the merits of all the claims presented, and such is respectfully requested. In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of

the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Roland E. Long, Jr.', written over a horizontal line.

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